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Attorneys for Plaintiff  
James R. Glidewell Dental Ceramics, Inc.  
d/b/a Glidewell Laboratories

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

JAMES R. GLIDEWELL DENTAL  
CERAMICS, INC. dba GLIDEWELL  
LABORATORIES, a California  
corporation,

Plaintiff,

VS.

## KEATING DENTAL ARTS, INC.,

**Defendant.**

## AND RELATED COUNTERCLAIMS.

Case No. SACV11-01309-DOC(ANx)

**[PROPOSED] ORDER GRANTING  
JAMES R. GLIDEWELL DENTAL  
CERAMICS, INC.'S NOTICE OF  
MOTION AND MOTION IN LIMINE  
#5 TO EXCLUDE EVIDENCE OF  
CERTAIN TRADEMARK OFFICE  
PROCEEDINGS**

## Hearing

Date: January 28, 2013  
Time: 8:30 a.m.  
Ctrm: 9D, Hon. David O. Carter

Pre-Trial Conf.: January 28, 2013  
Jury Trial: February 26, 2013

## ORDER

Plaintiff James R. Glidewell Dental Ceramics, Inc.’s (“Glidewell”) Motion *in Limine* No. 5 to exclude evidence of, and argument regarding, the parties’ filings and the U.S. Patent and Trademark Office’s (“PTO”) actions in Proceeding No. 92056050 and Proceeding No. 91202891, including, but not limited to  
(a) Defendant Keating Dental Arts, Inc.’s (“Keating” or “Defendant”) Petition for Cancellation of Glidewell’s registered BruxZir trademark, (b) Keating’s Opposition to Glidewell’s application to register the BruxZir mark for dental ceramics, and  
(c) the PTO’s suspensions of both proceedings pending the outcome of the instant action, came before this Court for hearing during the Pretrial Conference on January 28, 2013. All parties were represented by counsel.

Having considered the evidence and arguments set forth by the parties in the papers submitted and at the hearing, and for good cause shown,

14           **IT IS HEREBY ORDERED** that: Glidewell's Motion *In Limine* No. 5 is  
15           **GRANTED.** Keating shall not introduce evidence of, and argument regarding, the  
16           parties' filings and the PTO actions in Proceeding No. 92056050 and Proceeding  
17           No. 91202891, including, but not limited to (a) Keating's Petition for Cancellation  
18           of Glidewell's registered BruxZir trademark, (b) Keating's Opposition to  
19           Glidewell's application to register the BruxZir mark for dental ceramics, and (c) the  
20           PTO's suspensions of both proceedings pending the outcome of the instant action.

23 || Dated:

Hon. David O. Carter  
United States District Judge

1           ***Glidewell Laboratories v. Keating Dental Arts, Inc.***

2           **United States District Court, Central, Case No. SACV11-01309-DOC (ANx)**

3           **CERTIFICATE OF SERVICE**

4           I hereby certify that on January 17, 2013, I electronically filed the document  
5           described as **[PROPOSED] ORDER GRANTING JAMES R. GLIDEWELL**  
6           **DENTAL CERAMICS, INC.'S NOTICE OF MOTION AND MOTION IN**  
7           **LIMINE #5 TO EXCLUDE EVIDENCE OF CERTAIN TRADEMARK**  
8           **OFFICE PROCEEDINGS** the Clerk of the Court using the CM/ECF System  
9           which will send notification of such filing to the following:

10           David G. Jankowski  
11           Jeffrey L. Van Hoosear  
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37           Dated: January 17, 2013

38           SNELL & WILMER L.L.P.

39           By: s/Greer N. Shaw

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43           Attorneys for Plaintiff  
44           James R. Glidewell Dental Ceramics, Inc.  
45           dba Glidewell Laboratories